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Mika Kalenius

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EXAMINER

WONG, WILLIAM

ART UNIT

PAPER NUMBER

2179

MAIL DATE

DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/811,482	Applicant(s) KALENIUS, MIKA	
	Examiner WILLIAM WONG	Art Unit 2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 June 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,4,9,10,18,20,21,23,24,26,27 and 29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,4,9,10,18,20,21,23,24,26,27 and 29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>05/05/2009</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This action is in response to the communication filed on 06/01/2009.

- Claims 1, 10, 18, 21, 24, and 27 have been amended.
- Claims 2, 5-8, 11-17, 19, 22, 25, and 28 have been previously cancelled.

Claims 1, 3-4, 9-10, 18, 20-21, 23-24, 26-27, and 29 are pending and have been examined. Previous objections to the claims not included in this office action have been withdrawn in view of amendments. Previous 35 USC 112 rejections have been withdrawn in view of amendments. Previous prior art rejections are maintained.

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted was filed on 05/05/2009. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Objections

2. Claims 1, 18, 21, 24, and 27 are objected to because of the following informalities:

As per claim 1, it is unclear whether “if said indication was affirmative” in line 11 is modifying only “storing information” in line 11, or both “correlating... and storing information” in lines 10-11. This similarly applies to claims 18 and 21.

As per claim 24, it is unclear whether “if said indication was affirmative” in line 7 is referring to the “means for correlating... and for storing”. It appears to be possibly the

Art Unit: 2179

beginning of a separate statement (i.e. "if said indication was affirmative..., the indication indicating..."). Clarification is required. This similarly applies to claim 27.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 3-4, 9-10, 18, 20-21, 23-24, 26-27, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Robotham et al. (US 2002/0015042 A1) in view of Kendall et al. (US 2005/0193053 A1) and Kraus et al. (US 6266684 B1).

As per claim 1, Robotham teaches **a method, comprising: upon accessing content, displaying the content on a display screen in a first rendering mode, collecting a selection of a second rendering mode, showing the content according to the second rendering mode, correlating the second rendering mode to an origin of the content, and during a next access, showing a revised version of the content from the origin in the second rendering mode instead of the first rendering mode, the revised version having been revised during a time interval between the accessing and next access** (e.g. in paragraph 502 on page 37, "The rendering technique used for the detail representation can be set by user preference... User interface 9 can allow the user

Art Unit: 2179

switch back and forth between rendering techniques”, in paragraph 204-205 and 207 on page 17, “a selection bookmark is a stored representation of a dynamic selection... A selection bookmark can specify or prioritize the type of rendering used for the region of interest...”, in paragraphs 426-430 on page 32, and in paragraph 26 on page 3; the user is able to change content rendering preferences, which is stored on the server or client device, so that content will be rendered according to those preferences when it is subsequently accessed), **wherein the second rendering mode comprises a normal rendering mode, a re-authored mode, a narrow small screen rendering mode, or comprises an overview according to a thumbnail small screen rendering mode** (e.g. in paragraph 18 on page 2 in view of paragraph 11 on page 1 describes source transcoding which includes re-authoring; paragraph 26 on page 3 describes TSSR and paragraph 30 on page 3 describes NSSR), but does not specifically teach **collecting a request to close the content and subsequently inquiring whether to save the second rendering mode for the content, collecting an indication whether to save the second rendering mode for the content, storing the information if the indication was affirmative, and using the information if the indication was affirmative, wherein the revised version of content is accessible without a bookmark, and** wherein the revised version of the content has been revised during a time interval between the accessing and next access **even if the indication whether to save the second rendering mode was affirmative**. However, Kendall teaches a revised version of content between accesses (e.g. the content is arranged in a second

Art Unit: 2179

format upon next accessing that is different from the first accessed format) being accessible without a bookmark, wherein the revisions may be stored upon leaving the content (e.g. in paragraphs 14 and 36-37). It would have been obvious to one of ordinary skill in the art at the time of invention to modify the teachings of Robotham to include the teachings of Kendall for the purpose of automatically applying preferred rendering preferences for the content based on a URL or network path. Kraus teaches inquiring whether to save changes to the rendering mode upon closing (i.e. leaving) content and if an indication is "Yes", executing the save operation (e.g. in column 6 lines 39-42 and column 7 lines 24-28, saving causes changes to be reflected in subsequent accesses). It would have been obvious to one of ordinary skill in the art at the time of invention to modify the teachings of Robotham and Kendall to include the inquiring and saving of Kraus for the purpose of providing users control over whether preference changes are saved and prompting the user when a preference change needs to be decided on.

As per claim 3, the rejection of claim 1 is incorporated and Robotham further teaches **wherein the content is accessed via the internet** (e.g. in paragraph 64 on page 5, "the client machine 24 becomes a node on the Internet, capable of exchanging data with other Internet computers. The browser controls the content presented on a client viewport 16 of the display 5. With the client connected as an Internet node, the browser enables specified documents to be located, fetched from a server and displayed", and in paragraph 429 on page 32, "Screening

Art Unit: 2179

decisions can be based on criteria such as the type of the visual content element 10, the type of constituent component(s) 12, and its network location... The network location can be derived from information such as the URL of a Web-based visual content element 10 or constituent component 12”).

As per claim 4, the rejection of claim 1 is incorporated and Robotham further teaches **wherein the first rendering mode is a default rendering mode** (e.g. in paragraph 86-87 on page 7, *visual consistency* and *user profile consistency* establish default rendering modes) **specified by a provider of the content in source code** (e.g. in paragraph 78 on page 6, “The server 22 accesses the visual content elements 10 and their constituent components 12, provides the rendering functions, and transforms the rendered bitmap into a format convenient for the display on the client device 24”, in paragraph 4 and in paragraph 8).

As per claim 9, the rejection of claim 3 is incorporated and Robotham further teaches **wherein the content accessed via the internet requires downloading an amount of data dependent upon what rendering mode is employed** (e.g. in paragraph 112 on page 9, “clipping 82 can be used, for example, to remove unwanted regions of the proxy display surface 28 such as “white space,” unwanted advertising banners, and/or regions that are considered less important to the user” and in paragraph 487 on page 36, “The server 22 can retain the data that identifies the

Art Unit: 2179

"target" or associated URL of the hyper-link while sending the client 24 a more compact identifier for the "target" information... Consequently, the amount of data transmitted to the client 24 and the client's required capabilities are reduced").

As per claim 10, the rejection of claim 1 is incorporated and Robotham further teaches **wherein the method is performed iteratively in the case of the user has a change of preference** (e.g. in paragraph 73 on pages 5-6, "event processing occurs cyclically, with events caused by user actions transmitted to the server, and appropriately updated display information provided to the client").

Claims 18 and 20 are method claims corresponding to the method claims 1 and 3 respectively, and are rejected under the same reasons set forth in connection with the rejection of claims 1 and 3. It is noted that the combination of references further teach showing the revised version without further indication of a user preference in the next access (e.g. Kendall, in paragraphs 14 and 36-37).

Claims 21 and 23 are computer-readable medium claims corresponding to the method claims 1 and 3 respectively, and are rejected under the same reasons set forth in connection with the rejection of claims 1 and 3. Robotham further teaches a computer-readable medium storing computer executable code (e.g. in paragraph 62 on page 5 and in paragraph 272 on page 22).

Claims 24 and 26 are terminal claims corresponding to the method claims 1 and 3 respectively, and are rejected under the same reasons set forth in connection with the

Art Unit: 2179

rejection of claims 1 and 3. Robotham further teaches a display or other hardware (e.g. in paragraphs 29 and 63).

Claims 27 and 29 are terminal claims corresponding to the method claims 1 and 3 respectively, and are rejected under the same reasons set forth in connection with the rejection of claims 1 and 3. Robotham further teaches a display screen (e.g. in paragraphs 29 and 63) and user input device (e.g. in paragraphs 266-267).

Response to Amendment

5. It is noted that applicant's amendments to the independent claims significantly change the scope of the claims.

6. Current amendments overcome previous rejections under 35 USC 112 first paragraph, which were directed towards the lack of support in the originally-filed specification for the previously claimed limitations.

Response to Arguments

7. Applicant's arguments filed 06/01/2009 have been fully considered but they are not persuasive.

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir.

Art Unit: 2179

1986). Applicant should address the teachings of the combination of references, not each reference individually.

Moreover, Robotham, Kendall, and Kraus each teach a revised version of the content between accesses. As explained in each of the references, the content can be displayed in the first format when accessed and can then be arranged in second format different from the first format (i.e. a revised version of the content). This information is saved or stored (for example, in Kendall, saved upon leaving the content, the saved version accessible without a bookmark; in Kraus, saved upon leaving the content after affirmation of an indication from an inquiry), such that when it is next accessed, the revised version of content is shown (i.e. the content in the second format). Therefore, the teachings of the combination clearly read on the claimed limitations. See above rejections for details. As such, the rejections stand.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., change content between accesses and rendering mode unalterable during those content changes) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). The claims do not specifically recite what a revised version of the content consists of. Therefore, a different rendering mode for the content would reasonably be interpreted as "a revised version of the content", as noted above. Furthermore, the claims also reasonably suggest that the content with a different rendering mode is "a revised

Art Unit: 2179

version of the content", the revising being caused by saving the second rendering mode (e.g. "storing information about the correlating [the second rendering mode]... during next access, using the information to show a revised version of the content...in the second rendering mode instead of the first rendering mode"). Rejections are based on the claimed limitations.

For the above reasons, it is suggested that applicant at least amend the claims to specifically and clearly describe that the revised version comprises changing the content.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Art Unit: 2179

Any inquiry concerning this communication or earlier communications from the examiner should be directed to WILLIAM WONG whose telephone number is (571)270-1399. The examiner can normally be reached on M-F 8:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571)272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/WILLIAM WONG/
Examiner, Art Unit 2179

/Weilun Lo/
Supervisory Patent Examiner, Art Unit 2179